

Application № 10/760,035
Reply to Office Action of August 2, 2011

REMARKS / ARGUMENTS

Claims 22-34, 36-38, 54-59, 78-86, 93-122, 124, 126, 128, and 134-149 are pending in the instant application. Claims 96-121 and 130-133 stand withdrawn. Claims 22, 30, 54, and 78 are independent. Claims 23-29, 122, and 134-137, claims 31-34, 36-38, 124, and 138-141, claims 55-59, 93-95, 126, and 142-145, and claims 79-86, 128, and 146-149 depend, respectively, from independent claims 22, 30, 54, and 78.

Claims 22, 30-38, 54-59, 93-95, and 142-145 have been allowed. Claims 23-29, 78-86, 122, 128, and 146-149 stand objected to due to informality. Claims 122, 124, 126, 128, 134-141, and 146-149 stand rejected under 35 U.S.C. §112, second paragraph.

Though the Applicant generally disagrees with such rejections, to expedite allowance of various pending claims, the following discussion will focus in part on particular independent and dependent claims and/or portions thereof. Note that such focus is in no way to be construed as the Applicant agreeing with any rejections not specifically discussed below. The Applicant respectfully traverses the above rejections at least for the reasons previously set forth during prosecution and at least based on the following remarks.

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OBJECTION TO CLAIMS 23-29, 78-86, 122, 128, and 146-149

The Office objected to claims 23-29, 78-86, 122, 128, and 146-149 due to informalities. In particular, the Office required corrections to claims 23-29, 78, and 122. Claims 79-86, 128, and 146-149 were objected to solely because they depend on claim 78.

The Applicants have amended claims 23-29, 78, and 122 as shown above to address the concerns of the Office. The Applicants submit that these amendments overcome the objections of the Office and do not add new matter. Therefore, Applicants request that the objections to claims 23-29, 78-86, 122, 128, and 146-149 be withdrawn.

REJECTION UNDER 35 U.S.C. § 112, Second Paragraph

Claims 122, 124, 126, 128, 134-141, and 146-149 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Applicants respectfully disagree.

Notwithstanding, the Applicants have amended claims 122, 124, 126, 128, 134-141, and 146-149 as shown above, to address the concerns of the Office. Support for the amendments may be found, for example, FIG. 55a and FIG. 56a, at pages 259 - 263, and at pages 282 - 285 of the Specification. The Applicants submit that these amendments do not add new matter, and request that the rejection of claims 122, 124,

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126, 128, 134-141, and 146-149 under 35 U.S.C. §112, second paragraph, be reconsidered and withdrawn.

During the course of prosecution, the Office has made various statements regarding claims 22-34, 36-38, 54-59, 78-86, 93-122, 124, 126, 128, and 134-149 and cited references, which statements are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

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CONCLUSION

As noted above, claims 22, 30-38, 54-59, 93-95, and 142-145 have been allowed.

Based on at least the foregoing, the Applicants believe that all of claims 22-34, 36-38, 54-59, 78-86, 93-95, 122, 124, 126, 128, and 134-149 are now in condition for allowance. If the Examiner disagrees, the Applicants respectfully request a telephone interview, and requests that the Examiner telephone the undersigned Agent at (312) 775-8171.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

Date: October 28, 2011

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